

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1470 - SB 1252

March 16, 2023

SUMMARY OF BILL: Requires the original equipment manufacturers of powered wheelchairs to provide independent repair providers or owners of powered wheelchairs any new or used replacement parts, documentation, embedded software, firmware or tools intended for use with the wheelchair for the purpose of repair services performed on the wheelchair. Requires replacement parts, documentation, embedded software, firmware or tools be provided with fair and reasonable terms and costs. Provides certain exceptions. Establishes a violation of such is an unfair and deceptive act or practice under the *Consumer Protection Act of 1977*.

Establishes that a contract or other enforceable agreement that an original equipment manufacturer enters into, amends, or renews on or after January 1, 2024, is void as against the public policy of this state and is unenforceable if any term, provision, or other language in the contact waives, avoids, restricts, or limits the manufacturer's obligations pursuant to the proposed legislation.

Effective January 1, 2024.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Any increase in the number of complaints handled by the Attorney General is estimated to be not significant and can be handled by existing staff during normal work hours.
- Committing an unfair or deceptive practice under the *Consumer Protection Act of 1977* is a Class B misdemeanor offense.
- There will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- Any impact to commerce or jobs in Tennessee is estimated to be not significant.

HB 1470 - SB 1252

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

/vh